THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.26986 OF 1995

DATE: 28th September 2006

Between:

1. Korlakunta Lakshmaiah, son of Venkata Narsaiah,
   aged 70 years, resident of Polepalli village,
   Khammam rural Mandal, Khammam District
   and another.

…. Petitioners.

And

1. The District Collector, Khammam,
   and 5 others.

…. Respondents.

* * *

ORDER:

The relief sought for in this writ petition is for re-conveyance of the lands to an extent of Ac.37-34 guntas in survey Nos.113, 114, 116, 119 and 108 situated in Polepally village of Khammam District, which were acquired after invoking provisions of the Land Acquisition Act and taken possession in the year 1970.

2. The relief as sought for in the writ petition cannot be granted in view of the judgment in **State of Kerala and others V. M.Bhaskaran Pillai and another**[1] wherein it was held that once land acquired for public purpose by

operation of Section 16 of the Land Acquisition Act, the land is vested in the State free from all encumbrances.

3. The writ petition is accordingly dismissed. No order as to costs.

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C.V.RAMULU, J.

Date: 28th September 2006.
BSB

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[1] AIR 1997 SUPREME COURT 2703